

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MASSACHUSETTS (WORCESTER)**

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**In re:**

**TOP LINE GRANITE DESIGN, INC.,**

**Debtor**

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**Case No. 22-40216(EDK)**

**Chapter 11**

**CONDITIONAL SUPPORT OF MOTION TO SELL**

FIRST CITIZENS BANK & TRUST COMPANY, a/k/a CIT BANK NA, a secured creditor in interest herein (“CIT”), wishes to file the instant ***Conditional*** Support of the Debtor’s Motion to Sell, dated September 21, 2022 (the “Motion”), which Motion has been supplemented and has been the subject of a Status Report of even date.

CIT wishes to represent to the Court that it believes the Debtor has done its best to maximize the value of the assets of the Bankruptcy Estate (the “Assets”) plus their sale (the “Sale”), supported from a telephone conversation with Debtor’s attorney earlier this morning that the long-anticipated closing on the Sale will occur either today or tomorrow. Such a closing as the Sale will result in a significant benefit to the Bankruptcy Estate and therefore CIT joins the movement of the Sale.

**HOWEVER**, in the event that the Sale is not consummated by noon, Tuesday, March 7, 2022, then CIT will withdraw its support and instead support the Trustee and Sub-V Trustee's Motions to either convert or dismiss the Debtor's case due to the unusually long period of time it has taken to sell the Assets. CIT believes at this juncture and experience, it can deal with the Debtor's asset in which it possesses a PMSI to seek relief from stay and liquidate same accordingly.

Respectfully submitted,  
FIRST CITIZENS BANK & TRUST COMPANY  
a/k/a CIT BANK NA  
By its attorneys,

/s/William J. Delaney

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Dated: March 6, 2023

CERTIFICATION

I hereby certify that on the 6<sup>th</sup> day of March 6, 2023, 2022, a copy of the within CONDITIONAL Support was caused to be sent electronically through the CM/ECF system to the following:

Richard King, Esq., Office of the United States Trustee  
Lisa D. Tingué, Attorney, Office of the United States Trustee  
Macken Toussaint, Attorney  
Steven Weiss, Esq., Trustee  
Alan L. Braunstein, Esq.

/s/William J. Delaney

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